IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3743 OF 2007

Prakash V.Yadav. ..Petitioner.

V/s.

Arun A.Sadabase & Ors. ..Respondents.

Mr.P.S.Dani for petitioners.

CORAM: A.M.KHANWILKAR,J

DATE : JULY 4, 2007.

P.C. :

1. Without going into correctness of the controversy raised in the application Exh. 31 filed by the petitioner before the appellate Court, the appropriate relief that can be granted in the fact situation of the present case is to direct the Appellate Court to decide the application Exh.31 at the earliest, in any case, within one month from the receipt of the writ of this Court or from the date when this order is brought to the notice of the Appellate Court by the Petitioner. If the petitioner succeeds in that application, the appeal will naturally fail. Accordingly, appellate Court shall ensure that the said application Exh.31 filed in Civil Appeal No.57 of 2005 is decided within the specified time, as aforesaid.

2. Petition disposed of on the aforesaid terms.